

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

TZVI WEISS, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	
	:	Case No. 05-cv-4622 (DLI) (MDG)
	:	
-against-	:	
	:	
NATIONAL WESTMINSTER BANK, PLC,	:	
	:	
Defendant.	:	
	:	
NATAN APPLEBAUM, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	
	:	Case No. 07-cv-916 (DLI) (MDG)
	:	
-against-	:	
	:	
NATIONAL WESTMINSTER BANK, PLC,	:	
	:	
Defendant.	:	
	:	

**DECLARATION OF JOEL ISRAEL IN SUPPORT OF PLAINTIFFS’ OPPOSITION
TO DEFENDANT’S MOTION FOR SUMMARY JUDGMENT**

I, Joel Israel, declare as follows:

I have been an attorney at the law firm of Sayles Werbner since 2006. My firm and I represent the Plaintiffs Natan Applebaum, et al. (“Plaintiffs”), and I submit this declaration in support of Plaintiffs’ Response to Defendant National Westminster Bank, PLC’s Motion for Summary Judgment. Submitted with this declaration are true and correct copies of the following documents, which are cited in Plaintiffs’ Memorandum of Law in Opposition to Defendant National Westminster Bank, PLC’s Motion for Summary Judgment, Plaintiffs’ Response to Defendant National Westminster Bank, PLC’s Statement of Material Facts as to Which There is No Genuine Issue Pursuant to Local Rule 56.1, and Plaintiffs’ Local Rule 56.1(b) Statement of

Material Facts as to Which There is a Genuine Issue to be Tried Pursuant to Local Civil Rule 56.1(b):

- EXHIBIT 1.** U.S. Department of Treasury Office of Public Affairs August 22, 2003 Release: "U.S. Designates Five Charities Funding Hamas and Six Senior Hamas Leaders as Terrorist Entities." Produced at NWII 000048-53 and also available at: <http://www.treasury.gov/press-center/press-releases/Pages/js672.aspx>.
- EXHIBIT 2.** Federal Register Volume 62, Number 195, October 8, 1997 Notice from the Department of State, Office of the Coordinator for Counterterrorism. Also available at: <http://www.gpo.gov/fdsys/pkg/FR-1997-10-08/pdf/97-27030.pdf>.
- EXHIBIT 3.** Excerpts from NW084649-84859.
- EXHIBIT 4.** 2003/902/EC, European Council Decision of December 22, 2003.
- EXHIBIT 5.** NW214931.
- EXHIBIT 6.** NW013636.
- EXHIBIT 7.** NW052067-73.
- EXHIBIT 8.** NW191801-6.
- EXHIBIT 9.** Responses and Objections by Defendant National Westminster Bank PLC to Plaintiffs' Second Set of Interrogatories (Contention Interrogatories), July 5, 2011.
- EXHIBIT 10.** Excerpts from the July 14-15, 2010 Deposition of Michael Hoseason.
- EXHIBIT 11.** South African National Intelligence Agency – Hamas (Islamic Resistance Movement), September 24, 2001, from <http://cryptome.org/za-hamas.htm>, attached as Exhibit A to August 25, 2010 Stipulation as to Authenticity.
- EXHIBIT 12.** "MI5 study 'charity cash link to Hamas'" *The Times of London*, March 6, 1996, produced at W_S 157762.
- EXHIBIT 13.** "Charity's funds are frozen over alleged Hamas link" *The Times of London*, March 9, 1996, produced at W_S 157765.
- EXHIBIT 14.** "Palestinian Charity Funds Frozen Over 'HAMAS Link'" *The Guardian*, March 9, 1996, produced at W_S 157766.
- EXHIBIT 15.** "Roots of Terror: A special report; Alms and Arms: Tactics in a Holy War" *The New York Times*, March 15, 1996, produced at W_S 157773-9.
- EXHIBIT 16.** NW068291-96.
- EXHIBIT 17.** Excerpts from the October 5, 2010 Deposition of Gerald Matthews.
- EXHIBIT 18.** Supplemental Responses and Objections by Defendant National Westminster Bank PLC to Plaintiffs' Second Set of Interrogatories (Contention Interrogatories), August 5, 2011.

- EXHIBIT 19.** Second Supplemental Responses and Objections by Defendant National Westminster Bank PLC to Plaintiffs' Second Set of Interrogatories (Contention Interrogatories), August 16, 2011.
- EXHIBIT 20.** NW014516.
- EXHIBIT 21.** NW016495-500.
- EXHIBIT 22.** "Close Trust, Israel Pleads; Britain is being asked to clamp down on Palestinian fundraisers" *The Guardian*, August 7, 1997, produced at W_S 157786-7.
- EXHIBIT 23.** "Suicide bombers linked to London" *The Sunday Telegraph London*, August 17, 1997, produced at W_S 157788.
- EXHIBIT 24.** Excerpts from the July 13, 2010 Deposition of Neil Trantum.
- EXHIBIT 25.** Excerpts from the June 23, 2008 Deposition of Ian Wickens.
- EXHIBIT 26.** NW212124.
- EXHIBIT 27.** Excerpts from the July 21, 2010 Deposition of Tony O'Hear.
- EXHIBIT 28.** Excerpts from the July 12, 2010 Deposition of Douglas Hartley.
- EXHIBIT 29.** Excerpts from the July 22, 2010 Deposition of Irvine Rodger.
- EXHIBIT 30.** Excerpts from the June 9, 2010 Deposition of Martin Wiltshear.
- EXHIBIT 31.** NW012954.
- EXHIBIT 32.** Excerpts from the July 16, 2010 Deposition of Stephen Foster.
- EXHIBIT 33.** Excerpts from the July 23, 2010 Deposition of Amanda Holt.
- EXHIBIT 34.** Excerpts from the October 27, 2010 Deposition of Sonia Gayle.
- EXHIBIT 35.** NW052056-66.
- EXHIBIT 36.** November 19, 2009 Expert Report of Wayne D. Geisser, with Exhibits A, C and D.
- EXHIBIT 37.** December 28, 2010 Expert Report of Wayne D. Geisser, with Exhibits A-G.
- EXHIBIT 38.** Excerpts from the June 24-25, 2008 Deposition of Belinda Lane.
- EXHIBIT 39.** NW013415.
- EXHIBIT 40.** NW013416-8.
- EXHIBIT 41.** NW013279.
- EXHIBIT 42.** NW009934-42.
- EXHIBIT 43.** NW052074-91.
- EXHIBIT 44.** NW008973.
- EXHIBIT 45.** NW012764.
- EXHIBIT 46.** NW008981.

- EXHIBIT 47.** NW052412-3.
- EXHIBIT 48.** NW008982.
- EXHIBIT 49.** NW009755-7.
- EXHIBIT 50.** NW052416.
- EXHIBIT 51.** NW214836-47.
- EXHIBIT 52.** Excerpts from the May 20, 2009 Deposition of Fleur Baugh.
- EXHIBIT 53.** NW000233-60.
- EXHIBIT 54.** NW052140-76.
- EXHIBIT 55.** NW052114-23.
- EXHIBIT 56.** NW052124-28.
- EXHIBIT 57.** NW052133-9.
- EXHIBIT 58.** NW052415.
- EXHIBIT 59.** NW052416.
- EXHIBIT 60.** Transfers between Interpal and the World Assembly of Muslim Youth: NW012770; NW012771; NW052436-7; NW012776; NW052275; NW052419; NW052272; NW052408; NW012782-3; NW012786-7; NW012294-316; NW012317-339; NW052409; and NW052423.
- EXHIBIT 61.** Transfers between Interpal and Mr. Dahhan: NW052384; NW052380; NW012774; NW012762; NW012775; NW052500; NW052493; NW052411; NW052421; NW052415; NW052406; NW052404; NW052399; NW052401; NW052270; NW012778-79; NW008996, NW012788; NW052287; NW012790-91; NW012792; NW012359; NW012340; and NW012190.
- EXHIBIT 62.** NW012952.
- EXHIBIT 63.** NW013939-41.
- EXHIBIT 64.** U.S. Department of Treasury Office of Public Affairs May 29, 2003 Release: "Treasury Designates Al-Aqsa International Foundation as Financier of Terror Charity Linked to Funding of the Hamas Terrorist Organization" Available at <http://www.treasury.gov/press-center/press-releases/Pages/js439.aspx>.
- EXHIBIT 65.** NW051994-97.
- EXHIBIT 66.** NW050721-751.
- EXHIBIT 67.** Excerpts from the June 8, 2010 Deposition of Guy Cole.
- EXHIBIT 68.** NW012108-128.
- EXHIBIT 69.** NW012129-152.
- EXHIBIT 70.** NW010812-3.
- EXHIBIT 71.** NW013248.


- EXHIBIT 72.** December 12, 2002 “Final Notice” from the Financial Services Authority to the Royal Bank of Scotland plc.
- EXHIBIT 73.** NW083850-62.
- EXHIBIT 74.** NW013375.
- EXHIBIT 75.** NW052105-13.
- EXHIBIT 76.** Excerpts from May 18, 2011 Deposition of Jon Holland.
- EXHIBIT 77.** NW000149-164.
- EXHIBIT 78.** Excerpts from NW 013444-78.
- EXHIBIT 79.** NW013660-1.
- EXHIBIT 80.** NW013700.
- EXHIBIT 81.** NW012941.
- EXHIBIT 82.** NW013649.
- EXHIBIT 83.** The Charity Commission for England and Wales 2003 Inquiry Report regarding Palestinians Relief and Development Fund.
- EXHIBIT 84.** NW016749-50.
- EXHIBIT 85.** NW014500-4.
- EXHIBIT 86.** NW012976.
- EXHIBIT 87.** NW014505.
- EXHIBIT 88.** NW014551.
- EXHIBIT 89.** NW013695-7.
- EXHIBIT 90.** NW017173-8.
- EXHIBIT 91.** NW213357-8.
- EXHIBIT 92.** NW066732-5.
- EXHIBIT 93.** NW155831.
- EXHIBIT 94.** NW067946-7.
- EXHIBIT 95.** NW017133-4.
- EXHIBIT 96.** NW017131.
- EXHIBIT 97.** NW017179-90.
- EXHIBIT 98.** NW018476-83.
- EXHIBIT 99.** Excerpts from Rashumot publications cited in Annex D to the December 8, 2009 Expert Report of Moshe Azoulay (“Rashumot Publications”).
- EXHIBIT 100.** NW180879-83.
- EXHIBIT 101.** NW196915-32.

EXHIBIT 102. NW017151-4.
EXHIBIT 103. NW068305-11.
EXHIBIT 104. NW217191.
EXHIBIT 105. NW017132.
EXHIBIT 106. NW066732-9.
EXHIBIT 107. NW017109-10.
EXHIBIT 108. NW017104.
EXHIBIT 109. NW183380-6.
EXHIBIT 110. NW053390.
EXHIBIT 111. NW068209-10.
EXHIBIT 112. NW068211.
EXHIBIT 113. NW068212.
EXHIBIT 114. NW068197.
EXHIBIT 115. NW066797-9.
EXHIBIT 116. NW068901.
EXHIBIT 117. NW068331.
EXHIBIT 118. NW200986-201000.
EXHIBIT 119. NW068330.
EXHIBIT 120. NW066822-5.
EXHIBIT 121. NW066677-81.
EXHIBIT 122. NW066847-52.
EXHIBIT 123. NW066682-6.
EXHIBIT 124. NW066807-13.
EXHIBIT 125. NW197097-197102.
EXHIBIT 126. NW066721-3.
EXHIBIT 127. NW067948-9.
EXHIBIT 128. NW066758-9.
EXHIBIT 129. NW066701-4.
EXHIBIT 130. NW066777-9.
EXHIBIT 131. NW219318-22.
EXHIBIT 132. NW180854-7.

- EXHIBIT 133.** Fourth Supplemental Responses and Objections by Defendant National Westminster Bank PLC to Plaintiffs' Second Set of Interrogatories (Contention Interrogatories), November 23, 2011.
- EXHIBIT 134.** NW219323-6.
- EXHIBIT 135.** NW191807-14.
- EXHIBIT 136.** NW190202-5.
- EXHIBIT 137.** NW180811-5.
- EXHIBIT 138.** NW190918-20.
- EXHIBIT 139.** NW069055-8.
- EXHIBIT 140.** NW180808-10.
- EXHIBIT 141.** NW066764-9.
- EXHIBIT 142.** NW180827-9.
- EXHIBIT 143.** NW069060-2.
- EXHIBIT 144.** NW013815.
- EXHIBIT 145.** Excerpts from the June 8, 2011 Deposition of Gary Walters.
- EXHIBIT 146.** Printout of Forensic Risk Alliance website "Services" page, available at <http://www.forensicrisk.com/Services.aspx?MID=12&PID=2&Cat=Services&CatSubType=Compliance and Risk Management>.
- EXHIBIT 147.** Excerpts from the December 2-3, 2010 Deposition of Evan F. Kohlmann.
- EXHIBIT 148.** Declaration of Evan F. Kohlmann (April 29, 2010)
- EXHIBIT 149.** Excerpts from the November 4, 2010 Deposition of Ronni Shaked.
- EXHIBIT 150.** Excerpts from the August 2, 2011 deposition of Ronni Shaked.
- EXHIBIT 151.** Excerpts from the June 2, 2011 Deposition of Matthew Levitt.
- EXHIBIT 152.** Excerpts from the September 1, 2010 Deposition of Matthew Levitt.
- EXHIBIT 153.** CV of Arie Spitz, attached as Appendix 1 to the November 30, 2010 Expert Report of Arie Spitz, with translation.
- EXHIBIT 154.** Excerpts from the August 11, 2010 Deposition of Arie Spitz.
- EXHIBIT 155.** Excerpts from the July 20, 2011 Deposition of Arie Spitz.
- EXHIBIT 156.** Excerpts from the June 10, 2011 Deposition of Brian Jenkins.
- EXHIBIT 157.** Excerpts from the December 16, 2010 Deposition of Brian Jenkins.
- EXHIBIT 158.** RAND Database of Worldwide Terrorism Incidents, Results regarding Bus 19 Attack, available at: http://smapp.rand.org/rwtid/incident_detail.php?id=17934).
- EXHIBIT 159.** Excerpts from the June 14, 2011 Deposition of Clive Walker.
- EXHIBIT 160.** Excerpt from the May 20, 2011 Deposition of Jonathan Burchfield.

- EXHIBIT 161.** Superseding Indictment, *U.S. v. Holy Land Foundation*, 04-CR-240 (N.D. Tex. Nov. 12, 2008).
- EXHIBIT 162.** Expert Report of Reuven Paz, *Boim v. Quranic Literacy Institute*, 00-CV-2905 (N.D.Ill.).
- EXHIBIT 163.** Excerpt from the Administrative Record, *Holy Land Foundation v. Ashcroft*.
- EXHIBIT 164.** Action Memorandum from Dale L. Watson to Richard Newcomb, Director of OFAC, regarding "Holy Land Foundation for Relief and Development International Emergency Economic Powers Act."
- EXHIBIT 165.** Excerpt from *Owens v. Sudan*, 01-CV-2224 (D.D.C. Oct. 28, 2010) (Evidentiary Hearing Transcript).
- EXHIBIT 166.** "jihad," Oxford Dictionaries, U.K. Version (Oxford University Press 2011), <http://oxforddictionaries.com/definition/jihad?q=jihad>.
- EXHIBIT 167.** FATF/GAFI, Guidance for Financial Institutes in Detecting Terrorist Financing (April 24, 2002), available at <http://www.fatf-gafi.org/dataoecd/39/21/34033955.pdf>.
- EXHIBIT 168.** FATF/GAFI, Guidance on the Risk-Based Approach to Combating Money Laundering and Terror Financing (June 2007), available at (<http://www.fatf-gafi.org/dataoecd/43/46/38960576.pdf>).
- EXHIBIT 169.** FATF/GAFI, RBA Guidance for Legal Professionals (October 23, 2008), available at <http://www.fatf-gafi.org/dataoecd/5/58/41584211.pdf>.
- EXHIBIT 170.** December 17, 2010 Expert Report of Gary Walters.
- EXHIBIT 171.** Excerpt from the July 20, 2011 Deposition of Arie Spitz.
- EXHIBIT 172.** "Commission Takes a Charitable View of Terrorism," *Daily Telegraph*, March 28, 2009.
- EXHIBIT 173.** 2009 Charity Commission Inquiry Report regarding Palestinians Relief and Development Fund (Interpal).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this Declaration was executed on January 30, 2012 at Dallas, Texas.

By: 
Joel Israel